United Nations S/AC.44/2004/(02)/159

Security Council

Distr.: General
25 March 2010
English
Original: French

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 23 October 2008 from the Permanent Mission of the Niger to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of the Niger to the United Nations, in response to the note verbale from the Chairman of the Committee established pursuant to resolution 1540 (2004), has the honour to transmit herewith a copy of the matrix for the submission of reports pursuant to Security Council resolution 1540 (2004), duly completed by the competent authorities of the Niger (see annex).

Please note, however, that there are as yet no specific provisions in the national legislation on offences relating to biological, chemical and/or nuclear weapons.

10-29542 (E) 120410 140410

Please recycle

Annex to the note verbale dated 23 October 2008 from the Permanent Mission of the Niger to the United Nations addressed to the Chairman of the Committee

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **The Niger**

Date of report:

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements?	*YES*	*If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc.)*	*Remarks (information refers to the page of the English version of the report or an official website)*
1	General statement on non-possession of WMD			
2	General statement on commitment to disarmament and non-proliferation			
3	General statement on non-provision of WMD and related materials to non-State actors			
4	Biological Weapons Convention (BWC)		Deposited the instruments of ratification on 23 June 1972	http://disarmament.un.org/treatystatus.nsf
5	Chemical Weapons Convention (CWC)		Deposited the instruments of ratification on 9 April 1997	
6	Nuclear Non-Proliferation Treaty (NPT)		Deposited the instruments of ratification on 9 October 1992	
7	Comprehensive Nuclear-Test-Ban Treaty (CTBT)		Deposited the instruments of ratification on 9 September 2002	

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a state's compliance with its non-proliferation or any other obligations.

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements?	*YES*	*If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc.)*	*Remarks (information refers to the page of the English version of the report or an official website)*
8	Convention on Physical Protection of Nuclear Material (CPPNM)		Deposited instruments of ratification on 19 August 2004	http://www.iaea.org/Publications/Documents/Conventions/cppnm_status.pdf
9	Hague Code of Conduct (HCOC)		Signed on 26 November 2002	http://www.bmeia.gv.at/up-media/1679_list_of_hcoc_subscribing_states.doc
10	Geneva Protocol of 1925		Deposited the instruments of ratification on 5 April 1967	http://disarmament.un.org/treatystatus.nsf
11	International Atomic Energy Agency (IAEA)		Since 1969	About IAEA: IAEA Member States
12	Nuclear-Weapons-Free Zone/ Protocol(s)		Pelindaba Treaty, signed on 11 April 1996	http://disarmament.un.org/treatystatus.nsf
13	Other conventions/treaties			
14	Other arrangements			
15	Other		State party to eight conventions and protocols relating to terrorism	http://www.un.org/sc/ctc/documents/treatytable.pdf

OP 2 — Biological Weapons (BW)

State: **The Niger**

Date of report:

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties and others*		*Remarks*
		YES	*If YES, indicate source document of national implementation law*	*YES*	*If YES, indicate source document*	
1	Manufacture/produce		Article 132 of the Constitution			Constitution of 18 July 1999
2	Acquire					
3	Possess					
4	Stockpile/store		Article 132 of the Constitution			Constitution of 18 July 1999
5	Develop					
6	Transport					
7	Transfer		Article 132 of the Constitution			Constitution of 18 July 1999
8	Use					
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities		Article 132 of the Constitution			Constitution of 18 July 1999
11	Finance a.m. activities					
12	A.m. activities related to means of delivery		Article 132 of the Constitution			Constitution of 18 July 1999
13	Involvement of non-State actors in a.m. activities					
14	Other					

OP 2 — Chemical Weapons (CW)

State: **The Niger**

Date of report:

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*		*Enforcement, civil/criminal penalties and others*		*Remarks*
		YES	*If YES, indicate source document of national implementation law*	*YES*	*If YES, indicate source document*	
1	Manufacture/produce		Article 132 of the Constitution			Constitution of 18 July 1999
2	Acquire					
3	Possess					
4	Stockpile/store		Article 132 of the Constitution			Constitution of 18 July 1999
5	Develop					
6	Transport					
7	Transfer		Article 132 of the Constitution			Constitution of 18 July 1999
8	Use					
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities		Article 132 of the Constitution			Constitution of 18 July 1999
11	Finance a.m. activities					
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities					
14	Other					

OP 2 — Nuclear Weapons (NW)

State: **The Niger**

Date of report:

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties and others*		*Remarks*
		YES	*If YES, indicate source document of national implementation law*	*YES*	*If YES, indicate source document*	
1	**Manufacture/produce**		**Article 132 of the Constitution**			**Constitution of 18 July 1999**
2	**Acquire**					
3	**Possess**					
4	**Stockpile/store**					
5	**Develop**					
6	**Transport**					
7	**Transfer**		Article 132 of the Constitution			Constitution of 18 July 1999
8	Use					
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities		Article 132 of the Constitution			Constitution of 18 July 1999
11	Finance a.m. activities					
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities					
14	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials

State: **The Niger**

Date of report:

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement, civil/criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/transports					
12	Licensing/registration of facilities/ persons handling biological materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	Regulations for genetic engineering work					
16	Other legislation/regulations related to safety and security of biological materials					
17	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials

State: **The Niger**

Date of report:

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?	*National legal framework*		*Enforcement: civil/criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/ materials/transports					
12	Licensing of chemical installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement, civil/criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
15	National CWC authority		Ministry of Foreign Affairs			http://www.opcw.org/docs/NationalAuthorities.pdf
16	Reporting Schedule I, II and III chemicals to OPCW					
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/regulations controlling chemical materials					
19	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials

State: **The Niger**

Date of report:

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/ materials/transports					
12	Licensing of nuclear installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement, civil/criminal penalties, and others*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
16	IAEA Safeguards Agreements		Safeguards Agreements in force since 16 February 2005 Additional Protocol signed on 11 June 2004		http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf	http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources					
19	Other agreements related to IAEA					
20	Additional national legislation/ regulations related to nuclear materials including CPPNM					
21	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of BW including Related Materials

State: **The Niger**

Date of report:

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Border control	No	----------	No	----------	Proposed
2	Technical support of border control measures	No	----------	No	----------	Proposed
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities					
5	Export control legislation in place					
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority					
12	Interagency review for licences					
13	Control lists					
14	Updating of lists					
15	Inclusion of technologies					
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch all clause					
19	Intangible transfers					
20	Transit control					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation					
26	Extraterritorial applicability					
27	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 — Controls of CW including Related Materials

State: **The Niger**

Date of report:

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?	*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
1	Border control					
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities					
5	Export control legislation in place					
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority					
12	Interagency review for licences					
13	Control lists					
14	Updating of lists					
15	Inclusion of technologies					
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch all clause					
19	Intangible transfers					
20	Transit control					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties, and measures of implementation, etc.*		*Remarks*
		YES	*If YES, indicate source document*	*YES*	*If YES, indicate source document*	
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation					
26	Extraterritorial applicability					
27	Other					